



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

THE ADMINISTRATOR

MAY 10 2001

The Honorable John D. Dingell  
Ranking Member  
Committee on Energy and Commerce  
U.S. House of Representative  
Washington, DC 20515

Dear Congressman Dingell:

Thank you for your March 20, 2001, letter addressing the U.S. Environmental Protection Agency's progress in completing construction at Superfund National Priorities List (NPL) sites. In your letter, you requested answers to questions about our management and budgetary approach of maintaining the Superfund program. The following information is in response to your questions.

*Q 1. In the past four years, the Superfund program has made excellent progress by averaging 85 construction completions per year. Will you manage the program in a manner that will maintain at least 85 construction completions per year?*

EPA will continue to emphasize construction completions as a key priority for the Superfund program, and will continue and build upon its past efforts to expedite the rate at which Superfund sites are cleaned up. EPA has been anticipating a reduction in construction completions due to prior year Superfund budget reductions. Further, when determining cleanup targets for each year EPA evaluates the status of sites on the NPL and the best estimates of program managers concerning when each site can be brought to construction completion given the complexity of the site, progress to date, remaining work, and availability of resources to complete construction. In particular, as the number of construction completion sites has grown we have found that sites with remaining work tend to be more complex, on average, than those already complete. Given these considerations, in February 2000, EPA set a goal of 75 construction completions for FY 2001. For FY 2002, the Agency's target is 65 construction completions

*Q 2. The Clinton Administration, in testimony before this Committee, made a commitment that it would reach construction completions at 900 Superfund NPL sites by the end of FY 2002. Will the EPA under the Administration of President Bush reaffirm the commitment to reach "construction complete" status at 900 Superfund NPL sites by the end of FY 2002?*

In the Fiscal Year 1998 budget request, EPA set the goal of reaching 900 construction completions by the end of FY 2002. Reaching 900 construction completions remains EPA's goal. Current estimates indicate that the Agency will achieve construction completion at 897 NPL sites by the end of FY 2002. This reflects 757 construction completions achieved through the end of FY 2000, and the goals of 75 and 65 construction completions in FY 2001 and FY 2002, respectively.

*Q 3. Does the Superfund budget proposed by President Bush contain the necessary level of funding to (a) maintain the pace of achieving 85 construction completions per year and (b) keep the Superfund program on the path to achieve 900 construction completions by the end of FY 2002? Please provide an explanation of how the President's budget will, at a minimum, maintain the excellent progress in cleanups.*

The President's budget provides resources consistent with EPA's goal for construction completions provided in the responses to questions 1 and 2. Moreover, because of the lag between when funds are appropriated and when they are expended for construction, funding in any given fiscal year primarily influences construction completions in the following years. Typically, Superfund construction outlays are expended over a 4 to 5 year period.

*Q 4. How does President Bush's budget for the Superfund program in FY 2002 compare with the budget request submitted by President Clinton for FY 2001?*

The FY 2001 budget request for Superfund was \$1.450 billion. The FY 2001 appropriated funding level was \$1.267 billion, which reflected reductions attributed to no longer funding the Agency for Toxic Substances and Disease Registry (ATSDR) and the National Institute of Environmental Health Sciences (NIEHS) through Superfund program appropriations. The President's FY 2002 budget requests \$1.268 billion for the Superfund program.

*Q5. With respect to new site listings on the Superfund NPL, in the past two years (FY 1999-FY 2000) the top four states have accounted for 38% of the total new listings: New York (10 sites); Texas (7 sites); New Jersey (6 sites); and Louisiana (5 sites). What is the EPA's understanding of why these states felt it was necessary to rely on the Federal program to clean up the sites as opposed to individual state programs? If there are different reasons for different states or sites please provide them. What did the state officials indicate was the reason for the State Governors concurring in the listing of the site on the NPL?*

NPL listing decisions are made in close collaboration with our state partners in order to appropriately address the needs of individual sites and their surrounding communities. Typically, a site is listed when EPA and the state agree that it is most effectively addressed under the Federal program and that listing enables EPA and the state to most efficiently apply their resources to protecting public health and the environment. An explanation of the Superfund listing process can be found at 46 FR 8845, subsection 300.425.

Thank you for your continued interest in the Superfund program. Should you have any further questions please do not hesitate to contact us.

Sincerely yours,



Christine Todd Whitman